



RANSON PLANNING COMMISSION
MEETING MINUTES
MONDAY, APRIL 4, 2016

1. CALL TO ORDER & ROLL CALL OF MEMBERS – President Anthony Grant called the regular meeting of the Ranson Planning Commission to order on April 4, 2016, at 7:04 P.M. in the Council Chambers of Ranson City Hall at 312 S. Mildred St., Ranson, West Virginia.
2. Commission members in attendance – President Anthony Grant, Vice-President Mike Anderson, Commissioner Chris Gaskins, and Councilman & Commissioner Donnie Haines. Also present Assistant City Manager Edward Erfurt and Planning Technician Maria Dula. Absent with notification Commissioner Kim Biddle.
3. ACCEPTANCE OF MEETING AGENDA –Motion by Commissioner Haines to Accept the Agenda; motion seconded by Commissioner Anderson and passed unanimously by voice vote.
4. READING OF MINUTES OF LAST SPECIAL MEETING –Motion by Commissioner Haines to dispense and approve with the reading of the April 4, 2016, meeting minutes; motion seconded by Commissioner Gaskins and passed unanimously by voice vote.
5. OFFICERS & COMMITTEE REPORTS – None
6. SPECIAL ORDERS – None
7. UNFINISHED BUSINESS –
 1. **Lakeland Place/Fairfax Crossing Bond #778264S and Bond #779098S**
 - i. **Site visit and meeting with Jefferson Asphalt**
 - ii. **Coordination of Scope and Schedule Underway**

No action is needed at this time from the Planning Commission. Mr. Erfurt updated the Planning Commission that Staff continues to pursue the surety. Staff had met and toured the development with several representatives from Jefferson Asphalt and further, has been coordinating with Jefferson Asphalt as to what needs to be completed.
 2. **Lake Land Place/Fairfax Crossing #8887022**
 - i. **Site visit and meeting with Perry Engineering**

No action is needed at this time. The Planning Commission has filed a claim to this surety which was received by Zurich and Perry Engineering. Staff met with representatives from Perry Engineering and have received correspondence from Zurich. Zurich has requested additional information that will be collected by staff and mailed out. Zurich has assigned this claim number 6380071205.

3. Lakeland Place/Fairfax Crossing Termination of Development Agreement

i. Staff Update

ii. Petition for Chapter 11 Bankruptcy

No action is needed at this time. Fairfax Crossing, LLC filed for bankruptcy on Tuesday, March 29, 2016. As the matter is now in bankruptcy, it has been referred to the City of Ranson's attorney to determine options and next steps. The City will be able to make an informed decision on how to protect the City and residents' interests once the City Attorney provides an opinion, advice and direction.

Many residents of Fairfax Crossing attended the meeting. There were questions raised of concern with the effect of the bankruptcy. Mr. Erfurt explained that the City will proceed with actions as advised and with direction of the City Attorney. Residents wanted to know if the Home Owner's Association and its services it provides would be affected. Mr. Erfurt advised that they should refer to the management company for any HOA questions and concerns.

8. NEW BUSINESS –

1. Hotel at Jefferson Crossing

i. Resolution #2016-01: Resolution of the Planning Commission of the City of Ranson Approving a Site Plan for Jefferson Crossing Hotel on Lot 1B within the Jefferson Crossing Subdivision

Mrs. Dula reported that Uniwest Group LLC submitted a Site Plan for a hotel at Jefferson Crossing on Lot 1B. Jefferson Crossing Lot 1B is part of an approved and valid preliminary plat. Under Section 16.163. (j) *The Planning Commission may choose to waive the requirements of a public hearing for any site plan/improvement plan that is part of an approved and valid preliminary plat.* The plan provides for site work and pad preparation for a proposed five story hotel, including on-site parking, drive aisles, storm water conveyances, underground utilities, and landscaping on a 1.79 acre parcel accessed from Pimlico Drive and Jefferson Crossing Way. The applicant requested three waivers to be approved by the Planning Commission. The three waivers were for Section 16.92.(9), Section 16.171. (c), and Section 16.178.(j.2). The applicant provided justification and alternate solutions to meet the intent of the Code. Motion made by Commissioner Haines to Approve the waiver for a public meeting, and Approve the Site Plan and Waivers associated with the Hotel at Jefferson Crossing; motion seconded by Commissioner Anderson and passed unanimously by voice vote.

2. Shenandoah Springs

i. Resolution #2016-02: Resolution of the Planning Commission of the City of Ranson to Replace and Form of the Guarantee Surety (Bond) for the Required Physical Improvements for a Subdivision Commonly Referred to and Known as Shenandoah Springs

Mr. Erfurt reported that Shenandoah Springs LLC, is requesting a modification to their development surety as required under Ranson Code Chapter 16, Division 6 Guaranteed of Public Surety. This will convert the current \$1 million cash surety into a larger more comprehensive Corporate Surety to insure the completion of Phase 1. Staff has worked

with the Developer to identify the items that need to be covered within the surety. The developer's engineer has utilized the City's standard bonding worksheet to certify the unit counts and estimated cost. Motion made by Commissioner Haines to Accept the proposed Corporate Surety in lieu of completion of required on site improvements as described in 16-82, and as outlined in the revised development agreement presented April 4, 2016 to the Planning Commission. Provide the Authority for the Planning Commission Chair to send notice to the current surety guaranteed releasing the funds once the replacement surety has been recorded. Allow Staff and the Planning Commission Chair to take necessary action to revise and increase the surety in lieu of the completion of required onsite infrastructure as described in 16-82 of the Ranson Municipal Code for the Shenandoah Springs development; motion seconded by Commissioner Anderson and passed unanimously by voice vote.

ii. Resolution #2016-03: Resolution of the Planning Commission of the City of Ranson to Recommend to the City Council the Acceptance of Deeds of Dedication of Certain Right of Way in Portions of Phase 1 and Approve Maintenance Agreement Between the Developer and the City for Undedicated Streets and Infrastructure within the Subdivision Commonly Referred to and Known as Shenandoah Springs

Mr. Erfurt reported that Shenandoah Springs LLC, has completed significant portions of Phase 1 and has requested to dedicate the rights of ways and utility easements to the City. In addition, a maintenance agreement has been prepared for these dedications. Motion made by Commissioner Haines to Recommend to the City Council that they accept the deeds for these right-of-ways into the public system. The Planning Commission also recommends that the City Council Accept the draft maintenance agreement, and required maintenance bond as described in 16-87 for a period of one year after acceptance from the City Council; motion seconded by Commissioner Anderson and passed unanimously by voice vote.

iii. Resolution #2016-04: Resolution of the Planning Commission of the City of Ranson Approving a Development Agreement by and Between the Ranson Planning Commission and Shenandoah Springs, LLC for a Subdivision Commonly Referred to and Known as Shenandoah Springs

Mr. Erfurt reported that Shenandoah Springs LLC, is requesting a modification to their current development agreement. The proposed updates are consistent to the advancements to development regulations and policies that have been adopted by the City following the adoption of the Smart Code. Motion made by Commissioner Haines to Approve the Draft Development Agreement pursuant to the Planning Commission's authority within Ranson Municipal Code 16-60 between the Ranson Planning Commission and Shenandoah Springs LLC for a subdivision. Authorize the Planning Commission President to execute Development Agreement on behalf of the City of Ranson Planning Commission. Authorize the City Manager or his designee to execute any and all documents necessary to carry out the conditions of the attached Development Agreement. And Direct Staff to forward the Resolution and executed Development Agreement to the City Clerk for communication to the Ranson City Council and for

recording within the land records of the Jefferson County Commission; seconded by Commissioner Anderson and passed unanimously by voice vote.

9. ANNOUNCEMENTS & ADJOURNMENT –

Mr. Erfurt announced that Tony Grant was appointed by the City Council to fill the vacant Council seat. He also reported that by ordinance only two (2) Council Members may serve on the Planning Commission. The Mayor will have to assign Committee, and we will have a vacancy on the Planning Commission. The Community Development Staff will work with the Mayor to fill this vacancy. Mr. Erfurt also reported that the City Manager, Andy Blake was selected as the 2016 recipient of the Groves Award. The Groves Award is to recognize outstanding leadership and vision by a public official in the promotion of Transect-Based Planning. Andy Blake will be attending the Congress for the New Urbanism in June to accept his award. Motion by Commissioner Anderson to adjourn, seconded by Commissioner Haines, and passed unanimously by voice vote. The next regular Planning Commission Meeting is scheduled for Monday, April 4, 2016.



Planning Commissioner



Planning Commissioner

Attachments: Perry Engineering Letter ref. Improvements at Lakeland Phase 1 & 2A
Email Correspondence to Zurich
November 7, 2011 Planning Commission Agenda and Minutes